

REMARKS

Claims 1, 3, 5-14, 16-35, 38, and 41-55 are pending in the application. Claims 49-55 have been withdrawn. Claims 1, 3, 5-14, 16-35, 38, and 41-48 stand rejected. Claims 1, 38, 41-43, and 49 have been amended. Reconsideration and allowance of Claims 1, 3, 5-14, 16-35, 38, and 41-55, in view of the above amendments and following remarks, is respectfully requested.

The Rejection of Claims 1, 3, 5-9, 11-14, 16-20, 24-35, 38, 41, 42, and 45-47 Under 35 U.S.C. § 102(b)

Claims 1, 3, 5-9, 11-14, 16-20, 24-35, 38, 41, 42, and 45-47 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,733,273, issued to Ahr. Withdrawal of this grounds for rejection is respectfully requested for the following reasons.

Independent Claims 1, 38, and 41 have been amended to recite that the composite has a length and that each of the composite's fibrous bands is continuous along the composite's entire length. Claims 5-9, 11-14, 16-20, and 24-35 depend from Claim 1. Claims 45 and 46 depend from Claim 41. Claim 47 depends from Claim 42.

The Ahr reference describes an absorbent member with high density absorbent wicking strips. The absorbent member (10) comprises an absorbent medium (14) having a low density fibrous medium and a plurality of absorbent strips (12) having a higher density than the absorbent medium and which are distributed throughout the absorbent medium. See Col. 1, lines 53-58, and FIGURES 1-4. As described in the reference and as clearly shown in FIGURES 1-4, strips (12) are not continuous along the member's entire length.

The Ahr reference fails to describe the composite as now claimed: a composite having fibrous bands that are continuous along the composite's entire length. Because the reference fails to describe the invention as now claimed, the reference is not anticipatory and withdrawal of the

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rejection is respectfully requested. Applicants further submit that the cited reference fails to teach, suggest, provide any motivation to make, or otherwise render obvious the invention as now claimed.

The Rejection of Claim 10 Under 35 U.S.C. § 103(a)

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ahr reference in view of U.S. Patent No. 4,100,324, issued to Anderson et al. Withdrawal of this grounds for rejection is respectfully requested for the following reasons.

Claim 10 depends from Claim 1 which has been amended and, as discussed above, is neither described nor suggested by the Ahr reference. The deficiencies of the Ahr reference are not cured by the teachings of the Anderson reference. Because the cited references, either alone or in combination, fail to teach, suggest, provide any motivation to make, or otherwise render obvious the composite of Claim 1, and because Claim 10 depends from Claim 1, the claimed invention is nonobvious and patentable over the cited references. Withdrawal of this grounds for rejection is respectfully requested.

The Rejection of Claims 21-23 Under 35 U.S.C. § 103(a)

Claims 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ahr reference in view of EP 0 515 750 (the Chan reference). Withdrawal of this grounds for rejection is respectfully requested for the following reasons.

Claims 21-23 depend from Claim 20, which depends from Claim 1. The deficiencies of the Ahr reference noted above are not cured by the teachings of the Chan reference. Because the cited references, either alone or in combination, fail to teach, suggest, provide any motivation to make, or otherwise render obvious the claimed invention, the claimed invention is nonobvious and patentable over the cited references. Withdrawal of this grounds for rejection is respectfully requested.

The Rejection of Claims 43 and 44 Under 35 U.S.C. § 103(a)

Claims 43 and 44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ahr reference in view of U.S. Patent No. 5,649,916, issued to DiPalma et al. Withdrawal of this grounds for rejection is respectfully requested for the following reasons.

Claim 43 is an independent claim relating to absorbent articles that include the composite of Claim 1. Claim 44 depends from Claim 43, which has been amended.

The deficiencies of the teachings of the Ahr reference noted above with regard to Claim 1 are not cured by the teaching of the DiPalma reference. Because the cited references, either alone or in any combination, fail to teach, suggest, provide any motivation to make, or otherwise render obvious the invention as now claimed, the claimed invention is nonobvious and patentable over the cited references. Withdrawal of this grounds for rejection is respectfully requested.

The Rejection of Claim 48 Under 35 U.S.C. § 103(a)

Claim 48 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the Ahr reference in view of U.S. Patent No. 4,527,989, issued to Karami. Withdrawal of this grounds for rejection is respectfully requested for the following reasons.

Claim 48 depends from Claim 47, which depends from independent Claim 42, which has been amended.

The deficiencies of the teachings of the Ahr reference noted above with regard to Claim 1 is not cured by the teachings of the Karami reference. Because the cited references, either alone or in any combination, fail to teach, suggest, provide any motivation to make, or otherwise render obvious the invention as now claimed, the claimed invention is nonobvious and patentable over the cited references. Withdrawal of this grounds for rejection is respectfully requested.

Rejoinder of Claims 49-55

Applicants respectfully request that Claims 49-55 be rejoined. Claims 49-55 were withdrawn as directed to a non-elected species (absorbent composite as acquisition layer). Claim 49 has been amended to conform with amended Claim 1. Claims 50-55 depend from Claim 49. Applicants believe that, now that the elected species (absorbent composition as storage layer) have been examined and are allowable, and because the absorbent composite itself has been determined to be inventive (see Claim 1), Claims 49-55 may be properly rejoined in this application. Rejoinder and allowance of Claims 49-55 is respectfully requested.

Conclusion

In view of the above amendments and foregoing remarks, applicants believe that Claims 1, 3, 5-14, 16-35, 38, and 41-55 are in condition for allowance. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone applicants' attorney at 206.695.1755.

Respectfully submitted,

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